IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY SIXTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

and
THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION NO : 8739 of 1995

Between:

M/s. Eswara Traders, Rep. PRoprietor V.Gangi Reddy.
Bellari Road, Ananthapur.

..... PETITIONER

AND

The Commercial Tax Officer, Guntakal, Ananthapur.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue Writ of Mandamus or any other appropriate writ order or direction directing the respondent to implement the appellate order in T.A.No.555/94 dated 31/12/1994 and return the seized sunflower cake of 175 bags or its value as directed by Tribunal.

Counsel for the Petitioner:MR.P.SRINIVAS REDDY

Counsel for the Respondent : G.P for Commercial Taxes

The Court made the following O R D E R:

(Per the Hon'ble Sri Justice Bilal Nazki).

The Sales Tax Appellate Tribunal had ordered return of 175 bags of sunflower cake, in an appeal filed before it. It had further ordered that if the bags had been sold out, the sale proceeds be returned to the petitioner. This order has become final, but was not implemented by the respondent, therefore, the petitioner had filed the writ petition in the year 1995.

Neither side is able to inform this Court as to what has happened in the matter and as to whether the order of the Tribunal had been implemented.

In these circumstances, we dispose of the writ petition with a direction that if the Tribunal's order dated 31-12-1994 is not implemented, it may be implemented, within a period of four weeks from today. No order as to costs.

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(Bilal Nazki, J)

26th August, 2004.

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(P.S.Narayana,J)

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To

1. The Commercial Tax Officer, Guntakal, Ananthapur.
2. Two C.Cs to the Government Pleader for Commercial

High Court Buildings, A.P., Hyderabad (OUT)

3 Two C.D copies